

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DIANA ROLLINS, an individual,
Plaintiff,

vs.

NICOLAS ARROYO, an individual;
VANTARI MEDICAL, LLC, an Arizona
limited liability company; and GENETIC
TECHNOLOGICAL INNOVATIONS, LLC,
a Delaware limited liability company,
Defendants.

Case No: C 15-06049 SBA

ORDER

On December 23, 2015, Plaintiff filed a Complaint against Nicolas Arroyo, Vantari Medical, LLC, and Genetic Technological Innovations, LLC (collectively, “Defendants”). Dkt. 1. On February 10, 2016, Defendants filed a motion to dismiss for improper venue, or, in the alternative, to transfer venue for forum non conveniens. Dkt. 8.

On March 10, 2016, pursuant to Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure, Plaintiff filed a First Amended Complaint. Dkt. 15. Rule 15 permits a party to amend a pleading once as matter of course within 21 days after service of a responsive pleading or service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

Because “an amended complaint supersedes the original complaint and renders it without legal effect[.]” Lacey v. Maricopa County, 693 F.3d 896, 927 (9th Cir. 2012) (en banc), Defendants’ motion to dismiss or alternatively to transfer venue, which is directed at the superseded original complaint, is MOOT and therefore DENIED WITHOUT PREJUDICE. This Order terminates Docket 8.

IT IS SO ORDERED.

Dated: 3/28/16


SAUNDRA BROWN ARMSTRONG
Senior United States District Judge